REMARKS

The final Office Action mailed on May 10, 2005, has been received and its contents carefully reviewed. By the above Amendment, Applicant amended independent claims 1, 8, and 15 to more distinctly highlight the features of the present invention. Claims 1-26 are now pending in the application. No new matter is introduced (see, e.g., Applicant's Specification FIG. 2 and the discussion thereof, and page 14, lines 5-22). Thus, Applicant respectfully submits that no new matter is presented by entry of this Amendment and that the application is in condition for allowance.

Applicant wishes to thank Examiner Nobahar and SPE Barron for conducting the personal interview with Applicant's representative on November 2, 2005. Although no agreement was reached, the claims, as substantially submitted herewith, were discussed, and which patentably distinguish over *Downs et al.*, U.S. Patent No. 6,226,618, as discussed during the interview, and as further set forth herein.

The rejection of claims 1-26 under 35 U.S.C. § 102, as being anticipated by *Downs et al.* is respectfully overcome, because *Downs et al.* fails to disclose, teach or suggest all of the features recited in the pending claims. For example, independent claim 1, as amended (emphasis added), recites:

> A system for distributing and enforcing use of digital documents having usage rights associated therewith, said system comprising:
> a server having at least one document stored thereon in computer readable form;
> a client having a standard application program including a rendering engine capable of rendering unencrypted documents for viewing;
> a communications network coupled to said client and said server;
> a rights management module <u>included in said server and configured</u> for receiving a request for at least one of the documents from said client and delivering the at least one document and a set of rights associated with and for enforcing use of the at least one document to said client;
> a connection module <u>which is downloaded and included in said client and is</u> attached to <u>but separate from</u> said rendering engine for receiving the ~~list~~ <u>set</u> of rights associated with the at least one document, for verifying the integrity of the client by confirming a user interface module is attached to said rendering engine, and for verifying the integrity of the rendering engine;
> a user interface module <u>which is downloaded and included in said client and is</u> attached to <u>but separate from</u> said rendering engine for controlling access by the client to the at least one document for enforcing use of the at least one document in accordance with the set of rights associated with said at least one document;

independent claim 8, as amended (emphasis added), recites:

> A method for distributing and enforcing use of digital documents

having one or more usage rights associated therewith, said method comprising the steps of:

storing at least one document on a server in computer readable form;

accessing the server with a client having a standard application program including a rendering engine capable of rendering unencrypted documents;

receiving <u>by a rights management module included in said server</u> a request for at least one of the documents from the client;

delivering <u>by said rights management module</u> the at least one of the documents and a set of rights associated with and for enforcing use of the at least one of the documents to the client;

<u>downloading a connection module and a user interface module to said client;</u>

receiving the list of rights associated with the at least one of the documents with <u>said</u> connection module <u>included in said client and</u> attached to <u>but separate from</u> the rendering engine and that verifies the integrity of the client by confirming a user interface module is attached to said rendering engine and verifies the integrity of the rendering engine;

controlling access by the client to the at least one of the documents for enforcing use of the at least one document in accordance with the set of rights associated with the at least one of the documents through <u>said</u> user interface module <u>included in said client and</u> attached to <u>but separate from</u> the rendering engine; and

independent claim 15, as amended (emphasis added), recites:

In a computer architecture including a server having documents stored thereon, a start page for accessing the documents, and a client running an application program having a rendering engine, a method of distributing and enforcing use of documents comprising the steps of:

installing a rights management module on the server;

<u>downloading a connection module and a user interface module to said client;</u>

attaching <u>said</u> user interface module and <u>said</u> connection module to the rendering engine,

<u>wherein said user interface module and said connection module are separate from said rendering engine;</u>

creating a secure start page on the server;

placing the documents in directory;

programming the rights management module to include a pointer to the directory;

encrypting an address to the directory;

modifying the secure interface display to reference the user interface module and the start page;

verifying the integrity of the client with the connection module by confirming the user interface module is attached to the rendering engine;

verifying the integrity of the rendering engine with the connection module;

unencrypting the address to the directory with the connection module to permit access to the start page and the documents on the server; and

enforcing use of the documents with the user interface module in accordance with a set of rights associated with the documents.

Thus, independent claim 1, 8 and 15, as amended, include the novel features of a connection module and a user interface module that are downloaded to a client and to perform novel functions in the manner claimed. By contrast, as discussed during the interview, *Downs et al.* is directed to a conventional digital rights management (DRM) system employing secure containers, but fails to disclose, teach or suggest all of the features recited in independent claim 1, 8 and 15, as amended. Accordingly, Applicant respectfully submits that independent claim 1, 8 and 15, as amended, are allowable over *Downs et al.*

Further, as noted during the interview, the present invention recited in independent claims 1, 8 and 15 includes recognition of problems discovered with respect to conventional digital rights management (DRM) systems, such as the system of *Downs et al.*, for example, as described at page 6 of Applicant's Specification:

20   The proliferation of the Web, and its usefulness in document distribution, makes it desirable to apply DRM features to Web browsers and other standard rendering engines without requiring the rendering engines to be rewritten. However, conventional DRM technologies are not easily adapted to use with Web browsers and other standard rendering engines because they require proprietary formats and rendering engines which

25   contradict the open architecture of the Web. The inability to control application programs, such as Web browsers, independently from their rendering engines has made it difficult to apply DRM features over distribution networks.

The present invention recited in independent claims 1, 8 and 15, advantageously, addresses the discovered problems with respect to conventional DRM systems, such as the system of *Downs et al.*, for example, as described at page 14 of Applicant's Specification:

5   When a user of client computer 230 attempts to access server 220 having rights management module 224, rights management module 224 verifies if UI module 234 is installed on client 230 as described above. If not, instructions in the DRM start Web page, in the form of a Java applet, ActiveX control, or the like, instruct browser 232 to download and install UI module 234. Download can be accomplished from server 220 or another server coupled to communications network 300. Such download and installation can

10   be accomplished in a known manner using conventional mechanisms, and the user can be prompted to authorize installation and to enter other necessary information, such as where to store the installation files. Connection module 236 can be imbedded in UI module 234 and downloaded and installed simultaneously or through a separate download and installation

15   process. Of course, if UI module 234 is detected as installed on server 230, the installation step can be skipped. If UI module 234 is not installed on client 230, and the user does not authorize such installation, access to documents on server 222 is prohibited, or limited only to documents specified as being freely distributable.

20   As noted above, UI module 234 and connection module 236 are in a form in which they can be attached to browser 232 without the need to modify the code of browser 232. The term "attached" as used herein with respect to the modules, refers to software modules that can be combined or coupled with browser without modifying the code of browser 232. For example, UI

25   module 234 and connection module 236 are in the form of plug-ins, in the case of Netscape Navigator™ or ActiveX Controls in the case of Internet Explorer™. The mechanisms for developing and installing such components are well known.

By contrast, *Downs et al.* fails to disclose, teach or suggest the noted features recited in independent claims 1, 8 and 15, nor recognize or address the discovered problems with conventional DRM systems. Accordingly, one of ordinary skill in the art would find no motivation to arrive at the invention recited in independent claims 1, 8 and 15, based on *Downs et al.*, absent improper hindsight reconstructions of Applicant's invention based on Applicant's disclosure.

The dependent claims are allowable over *Downs et al.* on their on merits and for at least the reasons as argued above with respect to their independent claims.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after Final Rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome outstanding rejections under 35 U.S.C. § 102, the present amendment places the application in better form for consideration on appeal. It is therefore respectfully requested that 37 C.F.R.

§1.116 be liberally construed, and that the present amendment be entered.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. However, if the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

Respectfully submitted,

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